

Described on page 29 of the application, a demanded resolution of the inspection system is set at a value of the order of $0.1 \mu\text{m}$ with a pixel size also about $0.1 \mu\text{m}$. Further, with a measurement time of 1 pixel equal to or smaller than 10 nsec, as shown in Fig. 10, the number of electrons required per pixel is 6,000, so it is thus needed to set the electron beam current at least 100 nA. This is not disclosed or suggested in Feuerbaum and thus Feuerbaum does not anticipate or render the claims of the application.

For at least the above reasons, Feuerbaum does not anticipate or render obvious claims 1 and 9, or any claims dependent therefrom.

The Office Action rejects claims 5, 6, 11 and 16 under 35 U.S.C. § 103 over Feuerbaum in view of Meisburger, (U.S.P. 5,502,306). This rejection is respectfully traversed.

Claims 5, 6, 11 and 16 depend from independent claims 1 or 9. Further Meisburger does not solve the above noted deficiencies of independent claims 1 and 9. Thus, Feuerbaum and Meisburger in combination do not anticipate or render obvious independent claims 1 or 9, and therefore dependent claims 5, 6, 11 and 16 are not obvious over these references. Withdrawal of the rejection is requested.

For at least the above reasons, it is submitted that the application is in condition for allowance. Prompt consideration and allowance are solicited.

Attached hereto is a marked up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with Markings to Show Changes Made".

The Office is authorized to charge any fees due under 37 C.F.R. § 1.16 or 1.17 to Deposit Account No. 11-0600.

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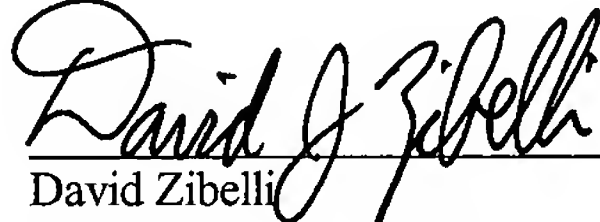
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PATENT APPLICATION NO. 10/083,481
DOCKET NO.: 29273/559

Should there be any questions concerning this matter, the Examiner is invited to contact Applicants' undersigned attorney.

Respectfully submitted,

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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Please amend claims 11 and 16 as follows:

11. (Amended) An inspection apparatus using an electron beam according to claim 10, further comprising:
- a [stage] storage means for storing picture information conveyed by said electrical signal;
 - and
 - a comparator for comparing pictures by using said picture information.

16. (Amended) An inspection apparatus using an electron beam according to claim 15, wherein an [electron] electrode set at a positive electric potential with respect to said deceleration voltage is provided between said specimen and said charged particle detector.